



Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number:
P.C.: 7/28/03 Item: 3.a1 and 3.a2

File Number:
GP03-03-07/GPT 03-03-07

Council District and SNI Area:
3 – Five Wounds/Brookwood Terrace

Major Thoroughfares Map Number:
67/83

Assessor's Parcel Number(s):
Various

Project Manager: Bill Scott

GENERAL PLAN REPORT

2003 Summer Hearing

PROJECT DESCRIPTION:

General Plan Amendment proposal to change the Land Use/Transportation Diagram from Medium Density Residential (8-16 DU/AC) and Light Industrial to Public Park/Open Space on a 1.2-mile segment of the Union Pacific Railroad/Valley Transportation Authority railroad right-of-way located between Interstate 280 and 135 feet southerly of East Santa Clara Street including a Floating Public Park designation adjacent to future Martin Park; apply the Transit Mall designation along a 0.40-mile segment of Valley Transportation Authority railroad and 28th Street rights-of-way between Julian Street and 135 feet southerly of East Santa Clara Street; and delete from the Scenic Trails Diagram in the General Plan text the 0.40-mile segment of Scenic Trail generally coincident with the proposed Transit Mall designation.

LOCATION: Union Pacific Railroad/VTA railroad right -of-way between Julian Street and Interstate 280.

ACREAGE: N/A

APPLICANT/OWNER:

City of San Jose/Valley Transportation Authority (VTA) and Union Pacific Railroad (UPRR)

GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Medium Density Residential (8-16 DU/AC), Light Industrial, Mixed Use Number 16, General Commercial, and Public Park/Open Space.

Proposed Designation: Public Park/Open Space, Floating Park and Transit Mall.

EXISTING ZONING DISTRICT(S): LI Light Industrial, R-1-8 Residence District, A (PD) Planned Development, CG Commercial General and R-MH Residential.

SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION (S):

North: Single-Family Detached Residential and Light Industrial – Medium Density Residential (8-16 DU/AC) and Light Industrial

South: Interstate 280 and Coyote Creek Park Chain - State Transportation Corridor and Public Park/Open Space.

East: Residential, Commercial, Industrial, McKinley Elementary School, Vacant, Future Martin Park - Medium Density Residential (8-16 DU/AC), Light Industrial, General Commercial, Public Park/Open Space, Public/Quasi-Public.

West: Residential, Industrial, Commercial, railroad right-of-way – General Commercial, Light Industrial, Transit Corridor Residential (25+ DU/AC), Medium Density Residential (8-16 DU/AC)

ENVIRONMENTAL REVIEW STATUS:

Mitigated Negative Declaration adopted on July 7, 2003.

PLANNING STAFF RECOMMENDATION:

Public Park/Open Space on a 1.2-mile segment of the VP/VTA ROW from approximately 135 feet southerly of East Santa Clara Street to Interstate 280; Floating Public Park adjacent to future Martin Park, and Transit Mall along a 0.40-mile segment of VTA ROW and 28th Street ROW from Julian Street to 135 feet southerly of East Santa Clara Street. Delete 0.40-mile portion of Scenic Trail from Scenic Routes and Trails Diagram.

Approved by:

Date:

Adoption of the proposed text amendment

PLANNING COMMISSION RECOMMENDATION:

CITY COUNCIL ACTION:

CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:

- Department of Transportation – The proposed land use change would not result in a long-term traffic impact.
- Valley Transportation Authority – Both General Plan amendments (GP03-03-07 and GPT 03-03-07) are compatible with and supportive of future transit and the Downtown/East Valley project.

GENERAL CORRESPONDENCE:

- None Received.

ANALYSIS AND RECOMMENDATIONS:

PROJECT DESCRIPTION

This is a City-initiated General Plan Amendment to change the Land Use/Transportation Diagram designation from: (1) Medium Density Residential (8-16 DU/AC) and Light Industrial to Public Park/Open Space on a 1.2-mile segment of the Union Pacific Railroad/Valley Transportation Authority railroad right-of-way located between Interstate 280 and 135 feet southerly of East Santa Clara Street and (2) apply the Transit Mall designation on a 0.40-mile segment of public street and Valley Transportation Authority railroad rights-of-way located on both sides of 28th Street between Julian Street and 135 feet southerly of East Santa Clara Street. The proposed text amendment would delete from the Scenic Trails Diagram in the General Plan text the 0.40-mile segment of Scenic Trail generally coincident with the proposed Transit Mall designation. A portion of the proposed Public Park/Open Space designation is intended to be “floating”, for example, its alignment may shift as necessary.

These amendments are intended to facilitate the redevelopment of the railroad right-of-way as a multi-purpose trail which would be integrated into the Citywide trails system, ultimately providing connections to Coyote Creek and several major parks and other destinations, including the planned Five Wounds area transit facilities. In addition to traditional trail activities - walking, biking, skating, etc. – the northern Transit Mall segment of the amendment area is intended to facilitate circulation and waiting space for train and bus passengers; pedestrian and vehicular access to transit facilities and adjacent businesses; and street furniture and landscaping.

These General Plan amendments are intended to be compatible with and supportive of the transit planning efforts of the Valley Transportation Authority (VTA) and the vision of the community as established by the

Strong Neighborhoods Initiative *Five Wounds/Brookwood Terrace Neighborhood Improvement Plan*, approved by the City Council in August 2002.

BACKGROUND

Site and Surrounding Uses

The amendment site is a segment of railroad right-of-way roughly 1.4 miles in length and extending generally in a north-south direction through the center of the *Five Wounds/Brookwood Terrace (FW/BT) Neighborhood Improvement Plan* area from Julian Street to I-280. The subject site is divided into two sub-areas at a point mid-block between East Santa Clara Street and Shortridge Avenue; a local street located one block south of East Santa Clara Street. In the north sub-area, the proposed Transit Mall designation includes both 28th Street and the railroad right-of-way, which runs adjacent and parallel to the westerly side of the street. In the south sub-area, the railroad right-of-way cuts diagonally through blocks and public streets. The width of the railroad right-of-way varies from roughly 60 to 70 feet at its narrowest point near San Antonio Street to approximately 240 feet wide at its widest point south of William Street.

During the preparation of the *FW/BT Improvement Plan*, the Union Pacific Railroad indicated intent to abandon the right-of-way. The community immediately identified future “rail-to-trail” conversion of the right-of-way as a very high priority. In support of the *FW/BT* vision, the City Council approved a General Plan Text Amendment in the Fall of 2002 (GP02-T-04), which added the entire length of the railroad right-of-way between Kelley Park and Julian Street to the General Plan Scenic Routes and Trails Diagram. At the time that text amendment was approved, the entire length of railroad right-of-way was owned by the Union Pacific Railroad (UPRR). North of East Santa Clara Street, the City Council approved a General Plan amendment (GP01-3-12) and text amendment (GPT01-03-12) which amended Appendix F to allow future mixed-use development consisting of Transit Corridor Residential (20+ DU/AC), General Commercial, Public Park/Open Space and Public/Quasi-Public uses on the 20-acre San Jose Steel site. The mixed use designation is also supportive of the land uses as established by the vision of the *Five Wounds/Brookwood Terrace Plan* and supports the future transit investment in the area.

The Valley Transportation Authority has recently acquired the portion of the right-of-way north of William Street as part of their site acquisition program for future development of the San Jose-Milpitas BART connection. There are several BART alignment alternatives currently being considered in the vicinity of the existing railroad right-of-way north of Shortridge Avenue and a BART station is planned at or near the San Jose Steel site between East Santa Clara Street and Julian Street. In addition, the Downtown/East Valley Light Rail project is planned to extend along the East Santa Clara Street/Alum Rock Avenue corridor. VTA has indicated no future plans for the portion of right-of-way located north of William Street and extending to just south of East Santa Clara Street. The portion of the right-of-way south of William Street remains in UPRR ownership for the time being.

A variety of uses surround the amendment site. The major portion of the site is surrounded by the residential neighborhoods within the *FW/BT Plan* area. Small clusters of industrial uses are located along portions of the right-of way. Commercial uses abut the site along East Santa Clara Street and the amendment site traverses a small commercial cluster at 24th/McLaughlin and William Streets. The range of General Plan land use designations surrounding the site generally reflect the existing land uses; the majority of the area surrounding the subject site is designated Medium Density Residential (8-16 DU/AC) on the General Plan Land Use/Transportation Diagram.

Five Wounds/Brookwood Terrace SNI Area

The subject railroad right-of-way extends roughly through the middle of the *Five Wounds/Brookwood Terrace (FW/BT) Neighborhood Improvement Plan* area, which is located approximately one mile east of Downtown San Jose. The area consists of several neighborhoods including Wooster/East West Court, Roosevelt Park, Five Wounds, Olinder, McKinley, Bonita, Anne Darling, and Little Portugal. A Neighborhood Advisory Committee (NAC) representing a range of community interests guided the development of the *FW/BT Plan*. During the *FW/BT* planning phase, residents, business owners and other interested individuals attended monthly meetings and several community workshops as the forums for creating the *Plan*. Among the topics of greatest interest were those focusing on opportunity sites for redevelopment and preferences for future land uses.

The *Five Wounds/Brookwood Terrace Neighborhood Improvement Plan* documents the community's vision, objectives and priorities. A major theme of the Five Wounds Plan is to provide walkable "small town" environments with land uses that are complementary to local and regional public transit facilities. BART and VTA transit facilities are integral to the FW/BT planning strategies. Another major feature of the *FW/BT Plan* is a linear park and town square located generally along the railroad right-of-way alignment near Five Wounds Church and the San Jose Steel site. The railroad alignment provides direct linkages to many existing and planned amenities in the *FW/BT Plan* area including: the future BART and Alum Rock Transit Station areas, the East Santa Clara/Alum Rock Business District, the planned 24th/William Street commercial cluster, future Martin Park, Selma Olinder Park, Kelley Park and the Happy Hollow Zoo and the planned Town Square and Linear Park near the Five Wounds Church. The trail would also connect to the planned Santa Clara County-wide trails network via two planned open space and recreational trail facilities, Lower Silver Creek to the north and the Coyote Creek Park Chain to the south.

ANALYSIS

Land Use Amendments

Both the proposed Public Park/Open Space and Transit Mall designations promote future multi-purpose "Rail-to-Trail" conversion of the railroad right-of-way and distinguish between portions of the railroad right-of-way planned primarily for future multi-purpose recreational use and those intended for high-volume pedestrian use in proximity to future VTA and BART transit facilities.

Transit Mall

Where the right-of-way parallels North 28th Street, from just south of East Santa Clara Street to Julian Street, the Transit Mall designation is proposed. The Transit Mall designation intends for streets to be improved for high pedestrian use near transit stops. This designation supports and is consistent with the future Downtown/East Valley and BART transit projects. The Transit Mall designation is also consistent with the Linear Park and Town Square visions of the *FW/BT Plan*.

Public Park/Open Space

From just south of East Santa Clara Street, the majority of the right-of-way is proposed to be designated Public Park/Open Space to facilitate development of a future multi-purpose recreational trail which would accommodate bike paths and pedestrian facilities completely separated from motor vehicle traffic. Where the right-of-way widens south of William Street, only the western portion is proposed for the Public Park/Open Space designation. The remainder of the right-of-way width is proposed to remain designated for Medium Density Residential (8-16 DU/AC) use to allow for future residential development. To allow maximum flexibility, the Public Park/Open Space designation is proposed to be "floating" at this location, indicating that a trail and perhaps other park uses should be located somewhere within the railroad right-of-way but allowing the trail and park uses to shift if necessary. The preferred trail alignment is along the

easternmost side of the right-of-way adjacent to future Martin Park. This alignment would permit residential development on the westernmost side of the right-of-way with new units facing east toward the trail, the public park and a new local street. Future park development in the area would also require community input through the FW/BT Neighborhood Advisory Committee (NAC).

Scenic Routes and Trails Text Amendment

A General Plan text amendment is also being proposed to delete the 0.40-mile segment of the “Five Wounds/Brookwood Terrace” trail, which is coincident with the proposed Transit Mall designation, from the Scenic Routes and Trails Diagram. The Land Use/Transportation Diagram Transit Mall designation would replace the Trail alignment. The Five Wounds/Brookwood Terrace Trail between Kelley Park and Julian Street was one of fifteen trails added to the General Plan text in 2002 in support of “rails-to-trails” efforts. The Valley Transportation Authority (VTA) has indicated that the Scenic Routes and Trails designation at this location conflicts with future BART and VTA Transit facilities since the existing Scenic Routes and Trails designation implies typical recreation trail uses. Low key recreational uses are not consistent with the urban high volume, pedestrian-oriented transit facilities anticipated along this portion of the right-of-way. The proposed Transit Mall designation more accurately reflects the intended use of this portion of the right-of-way. No change is proposed for the portions of the Five Wounds/Brookwood Terrace Trail north and south of the proposed Transit Mall designation. VTA has indicated support for the proposed change.

Policy Consistency

A portion of the subject right-of-way is designated Light Industrial on the General Plan Land Use/Transportation Diagram. The industrial land use policies of the *San Jose 2020 General Plan* recognize that there is a finite supply of industrial land and the preservation of industrial land is an important part of achieving the City’s Economic Development Major Strategy and Goals to provide sufficient job growth and for expansion of the City’s industrial tax base. Given the subject property is a relatively narrow railroad right-of-way-planned for abandonment, the site could not easily accommodate new industrial development. The site provides an optimum opportunity for re-use as multi-purpose trail facilities consistent with “rail-to-trail” conversion strategies.

The proposed amendment is consistent with the Urban Conservation Major Strategy and Goal of the *San Jose 2020 General Plan* to “improve the quality of life and create a stable, mature community.” Urban Conservation Policy No. 2 specifies: “The City should encourage new development, which enhances the desirable qualities of the community.” The proposed amendment is consistent with Parks and Recreation Policy No. 8, which specifies: “The City should consider the conversion of abandoned railroad rights-of-way into multipurpose trails”. The proposed amendment supports Trails and Pathways Policy No. 5 which specifies: “The City should promote interagency planning of pathways, bike-ways and equestrian trails.”

The amendments also support Transit Facilities policies, which encourage cooperation between the City, Transit District and other transportation agencies to provide and enhance transit service in major commute corridors and to develop public transit for all segments of the community. The proposed amendment supports the VTA, BART and Downtown/East Valley transit planning efforts.

The proposed amendments would support the “rail-to-trail” conversion, which is a high priority of the *Five Wounds/Brookwood Terrace Neighborhood Improvement Plan*, which establishes the vision of the community.

ENVIRONMENTAL CONSIDERATIONS

The proposed General Plan amendments were analyzed in an initial study that resulted in a Mitigated Negative Declaration. The Negative Declaration was prepared and circulated to the public for review and

comment. The initial study determined that the proposed land use change and text amendment would create a less than significant impact.

PUBLIC OUTREACH

The property owners within the project boundaries and property owners within a 1000-foot radius were sent a newsletter regarding the community meeting that was held on June 24, 2003. They also received a hearing notice of the public hearings to be held on the subject amendment before the Planning Commission in July and City Council in August. The proposed amendment was also presented to the Five Wounds/Brookwood Terrace Neighborhood Advisory Committee (NAC) at its February 28, May 27, and June 24, 2003 meetings. In addition, the Department's web-site contains information regarding the General Plan process, amendments, staff reports, and hearing schedule. This site is used by the community to keep informed of the status of the amendments. The FW/BT NAC and the Valley Transportation Authority have indicated support for the proposed amendment. No opposition to or concerns about the amendment have been received by staff.

RECOMMENDATION

Staff recommends:

- Public Park/Open Space on a 1.2-mile segment of Union Pacific Railroad/Valley Transportation Authority right-of-way located between Interstate 280 and 135 feet southerly of East Santa Clara Street, including a Floating Park designation adjacent to future Martin Park;
- Apply the Transit Mall designation along Valley Transportation Authority and 28th Street rights-of-way along a 0.40-mile segment from Julian Street to 135 feet southerly of East Santa Clara Street;
- Delete the 0.40-mile segment of Scenic Trail located between Julian Street and 135 feet southerly of East Santa Clara Street from the Scenic Routes and Trails Diagram.
- Adoption of the associated text amendment.

Attachments